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Practitioner's Docket No. 57188/02-774

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Confer, et al.  
Application No.: 10/696,544  
Confirmation No.: 7788  
Filed: 10/29/2003  
For: *M. Haemolytica* outer membrane protein PlpE as a vaccine component  
against shipping fever  
Group No.: 1653  
Examiner: Unknown

**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT  
WITHIN THREE MONTHS OF FILING OR  
BEFORE MAILING OF FIRST OFFICE ACTION (37 C.F.R. 1.97(b))**

**List of Sections Forming Part of This Information Disclosure Statement**

The following sections are being submitted for this Information Disclosure Statement:

1. Timing of Statement (with any required certifications)
2. Preliminary Statements
3. Forms PTO-1449 (Modified)
4. Comments on References
5. Identification of Person(s) Making This Information Disclosure Statement

**CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. SECTION 1.8(a))**

I hereby certify that, on the date shown below, this correspondence is being:

**MAILING**

☒ deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

**FACSIMILE**

☐ transmitted by facsimile to the Patent and Trademark Office (703) \_\_\_\_\_.

Jamie A. Robinson  
Signature

Date: July 7, 2004

Jamie A. Robinson  
(type or print name of person certifying)

(Transmittal of Information Disclosure Statement  
Within Three Months of Filing or Before Mailing of First Office Action— Page 1 of 3)

**Section 1. Timing of Statement (with any required certifications)**

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 C.F.R. section 1.97(b).

**Section 2. Preliminary statements**

Applicants submit herewith patents, publications or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. section 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

**Note that Reference AG was published after the priority date accorded the present application.**

**Section 3. Form PTO-1449 (Modified)**

Attached.

**Section 4. Comments on References**

None.

**Section 5. Identification of Person Making This Information Disclosure Statement**

The person making this certification is:

a. the practitioner who signs below on the basis of the information in the practitioner's file.

No additional fee is believed to be due. However, if any fee is made payable by the filing of this paper, please consider this our authorization to charge the deposit account of the undersigned, Deposit Account No. 06-0540.

Respectfully submitted,

7/7/04

DATE



SIGNATURE OF PRACTITIONER

Reg. No.: 36,050

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PATENT  
Attorney Docket No.: 57188/02-774  
FORM 1449  
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<b>FORM PTO-1449 (Modified)</b>  <b>INFORMATION DISCLOSURE STATEMENT</b>  (Use several sheets if necessary)	Attorney Docket No.: 57188/02-774	
	Applicant(s): Confer, <i>et al.</i>	
	Title: <i>M. Haemolytica</i> outer membrane protein PlpE as a vaccine component against shipping fever	
	Serial No.: 10/696,544	Filing Date: 10/29/2003
	Group: 1653	Examiner: Unknown

### U.S. PATENT DOCUMENTS

Examiner Initials		Document No.	Date	Name	Class	Subclass
	AA					

### FOREIGN PATENT DOCUMENTS

Examiner Initials		Document No.	Date	Name (Inventors)	Class	<u>Translation</u> Yes / No
	AB	WO 2004/041182 A2	05/21/2004	Confer, et al.	A61K	

### OTHER ART

Examiner Initial		(Including Author, Title, Date, Pertinent Pages, Etc.)
	AC	Pandher, Karamjeet, Confer, Anthony W., and Murphy, George L., "Genetic and Immunologic Analyses of PlpE, a Lipoprotein Important in Complement-Mediated Killing of <i>Pasteurella haemolytica</i> Serotype 1." Infection and Immunity, Dec. 1998, Vol 66, No. 12, p. 5613-5619.

Examiner Initial		(Including Author, Title, Date, Pertinent Pages, Etc.)
	AD	Morton, DVM, PhD, Rebecaa J., Panciera, DVM, PhD, Roger J., Fulton, DVM, PhD, Robert W., Frank, DVM, PhD, Glynn H., Ewing, DVM, PhD, Sidney A., Homer, PhD, John T., Confer, DVM, PhD, Anthony W., "Vaccination of cattle with outer membrane protein-enriched fractions of <i>Pasteurella haemolytica</i> and resistance against experimental challenge exposure." <i>Am J Vet Res</i> , Vol. 56, No. 7, July 1995, pp. 875-879.
	AE	Pandher, Karamjeet, Murphy, George L., Confer, Anthony W., "Identification of immunogenic, surface-exposed outer membrane proteins of <i>Pasteurella haemolytica</i> serotype 1." <i>Veterinary Microbiology</i> 65 (1999) pp. 215-226.
	AF	PCT International Search Report issued in connection with PCT/US03/34574, date of Mailing 18 June 2004.
	AG	Confer, Anthony W., Ayalew, Sahlu, Panciera, Roger J., Montelongo, Marie, Whitworth, Lisa C., Hammer, Jordan D., "Immunogenicity of recombinant <i>Mannheimia haemolytica</i> serotype 1 outer membrane protein PlpE and augmentation of a commercial vaccine." <i>Vaccine</i> 21 (2003) pp. 2821-2829 ( <b>published <u>after</u> priority date</b> ).

EXAMINER	DATE CONSIDERED

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance. Include copy of this form with next communication to applicant.